



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Attorney Docket No. P21764

In re application of : Takashi ASAHINA et al

Application No. : 09/996,908

Mail Stop Amendment
Group Art Unit: 1745

Filed : November 30, 2001

Examiner: J. MERCADO

For : PRISMATIC BATTERY MODULE AND METHOD FOR MANUFACTURING THE SAME

Mail Stop Amendment

COMMISSIONER FOR PATENTS

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a **Election with traverse** in the above-captioned application.

- ☐ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ An Information Disclosure Statement, PTO Form 1449, and references cited.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 34	*34	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 3	**3	0	x 43=	\$	x 86=	\$0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$0.00
Extension Fees for ____ Month(s)				\$		\$0.00
Total:				\$	Total:	\$0.00

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

☐ N/A A check in the amount of \$ ____ to cover the *filing/extension* fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Kinda Hodge Reg No 47348
Bruce H. Bernstein
Reg. No. 29,027

P21764.A06



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takashi ASAHINA et al.

Group Art Unit: 1745

Serial No : 09/996,908

Examiner: J. MERCADO

Filed : November 30, 2001

For : PRISMATIC BATTERY MODULE AND METHOD FOR
MANUFACTURING THE SAME

RESPONSE TO ELECTION REQUIREMENT WITH TRAVERSE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir :

In response to the Examiner's Election of Species Requirement of May 3, 2004, setting a one month period for response extending until June 3, 2004, Applicants elect the Specie IV, with traverse, for the reasons expressed below. Claims 1 and 31-34 are considered to be "readable" on the invention of Specie IV (as set forth by the Examiner).

Applicants respectfully traverse the Election of Species Requirement. Although the Examiner's Office Action appears to accurately identify different embodiments of the claimed invention, Applicants respectfully request that all of the claims in the instant application be examined, pursuant to the guidelines set forth in MPEP §803. That is, the Examiner is respectfully requested to reconsider the requirement and find that there would

not appear to be a “serious burden” on the Patent and Trademark Office in examining claims directed to the nonelected inventions since the search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. It appears that if the Examiner were to perform a search for the embodiment of Specie IV, there would not be a serious burden in examining the other embodiments, especially since all of the claims are directed to at least a prismatic battery module having an electroconductive connector or a method of manufacturing a prismatic battery module.

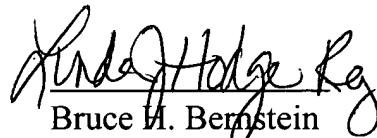
Because the search of each of the inventions would be coextensive, it would be no serious burden on the Examiner to examine all of the claims in the application. For this reason, and consistent with office policy as set forth in MPEP §803, Applicants respectfully request that the Examiner reconsider and withdraw the Election of Species Requirement.

For the foregoing reasons, it is submitted that the Election of Species Requirement in this application is improper and it is respectfully requested that it be reconsidered and withdrawn.

P21764.A06

Should the Examiner have any questions, please contact the undersigned at the telephone number provided below.

Respectfully submitted,
Takashi ASAHINA et al.

 Reg No 47348
Bruce M. Bernstein
Reg. No. 29,027

June 2, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191